Remarks

Reconsideration and allowance are requested in view of the above amendments and the remarks below. These amendments are being made to facilitate early allowance of the presently claimed subject matter. Applicants do not acquiesce in the correctness of the objections and rejections and reserve the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application.

In the Office Action, claims 1-4 and 7-8 are rejected under 35 U.S.C. 112, second paragraph as allegedly being indefinite. Further, the Specification is objected to for allegedly containing informalities. Additionally, claims 1-4 and 8 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Hoyle (U.S. 6,141,010) in view of Official Notice. Finally, claim 7 is rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Hoyle in view of Nicholas, III (U.S. 6,865,719), hereinafter "Nicholas." Applicants respectfully request withdrawal of the rejections.

With respect to claim rejections under 35 U.S.C. 112, second paragraph, Applicants have amended claims 1, 2 and 7 to comply with a portion of the Office's request. However, Applicants have not amended the phrases "obtaining a user computer" or "displaying" as requested by the Office. (Claims 1 and 2; Office Action at page 2).

With respect to the term "user computer" (See, Office Action at page 2), Applicants respectfully submit that a "user computer" is not equivalent to a "user."

As such, the phrase "a user computer" remains unchanged to provide proper antecedent basis.

With respect to the term "displaying the associated advertisement data in accordance with the advertisement information" (See, Office Action at page 2), Applicants respectfully submit the phrase is sufficiently definite in that the displaying of the associated advertisement data is in accordance with the advertisement information. While the advertisement information includes subsets of information, those subsets of information are sufficiently definite, as is the advertisement information itself. Accordingly, Applicants submit that the above-referenced phrase is sufficiently definite, and request withdrawal of the rejections.

With respect to objections to the specification, Applicants have amended the specification as requested by the Office. Specifically, Applicants have amended paragraph [0002] of Applicants' original specification (cited as paragraph [0004] by the Office). Accordingly, Applicants request withdrawal of the objections.

With respect to claim rejections under 35 U.S.C. 103(a), claim 1 reads in part:

> "…obtaining, at a user computer…information on an effective display period of time … of the advertisement… and… deciding a validity of the advertisement to be displayed by determining if the effective display period of time for the advertisement to be displayed has expired, wherein different advertisements can be displayed, each advertisement having a different

effective display period of time, for the same URL." (Claim 1, and similarly recited in claim 2)(Emphasis added).

Applicants respectfully submit that Hoyle fails, *inter alia*, to disclose "...information on an effective display period of time..." (Claim 1). In its rejection, the Office posits that "... an 'effective display period of time' is only a common alternative for a number of times of display for the same purpose of limiting the time of exposure of a particular ad so others can be displayed." (Office Action at 6; Hoyle at col. 15, lines 54-58 and col. 12, lines 5-6). Applicants respectfully disagree. At best, Hoyle discusses that, "each banner can have associated with it a maximum number of permitted displays." (Hoyle at col. 15, lines 55-56)(Emphasis added). As discussed in Hoyle, limiting the number of displays, "allows different advertisements differing amounts of exposure." (*Id.*) This passage of Hoyle suggests an attempt to share advertisement exposure through a counting mechanism. In this respect, Hoyle differs from the method of claim 1. Claim 1 describes a "display period of time" which is aimed at displaying advertisements over a certain period of time. This is not merely a "common alternative" as argued by the Office, because a method using a "display period of time" will create a different result than a system using a number of displays.

Applicants hereby present an illustrative example which highlights the contrasts between claim 1 and Hoyle. In the case where an advertisement is directed to a specific type of store (e.g., a flower shop), a particular advertisement may be

season-specific. For example, an American flower shop may target Valentine's Day shoppers with an advertisement including one or more images of red roses. While this advertisement may be useful during the first two weeks of February (leading to Valentine's Day), it may be less effective during the first week of March. Using the method of claim 1, advertisement information could include a "display period of time." The display period of time would allow this advertisement to be displayed during an effective period of time (early February), while not being displayed during a less effective period of time (early March). In contrast, Hoyle discloses a system whereby the same advertisement including red roses could be displayed for either an undesirably short or undesirably long a period of time. For example, if the maximum number of permitted displays were used by the first week of February, the advertisement containing red roses would not be displayed during the following week (preceding Valentine's Day). This would cause potential customers (e.g., American men) to miss an advertisement directed to them. Further, if the maximum number of permitted displays were not used until after Valentine's Day, users may see advertisements including red roses well into the month of March. These advertisements may be much less effective during this period of time, where, for example, pink roses may be more popular. As such, Applicants submit that Hoyle fails, *inter alia*, to disclose the features of claim 1, discussed above.

Accordingly, Applicants respectfully request clarification regarding the Office's position on "common alternative[s]." Specifically, Applicants request

clarification and/or explanation of how Hoyle discloses "information on an effective display period of time."

Applicants respectfully submit that the above example illustrates merely one way in which Hoyle fails to disclose, "…information on an effective display period of time …" (Claim 1). Applicants further submit that "Official Notice" fails to overcome the deficiencies of Hoyle.

Applicants hereby incorporate the above arguments with respect to claim 2. As such, Applicants respectfully request withdrawal of that rejection as well.

With respect to the dependent claims, Applicants hereby incorporate the arguments presented above with respect to the independent claims from which the claims depend. The dependent claims are believed to be allowable based on the above arguments, as well as for their own additional features.

If the Examiner believes that anything further is necessary to place the application in condition for allowance, the Examiner is requested to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,

/ Matthew B. Pinckney /

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